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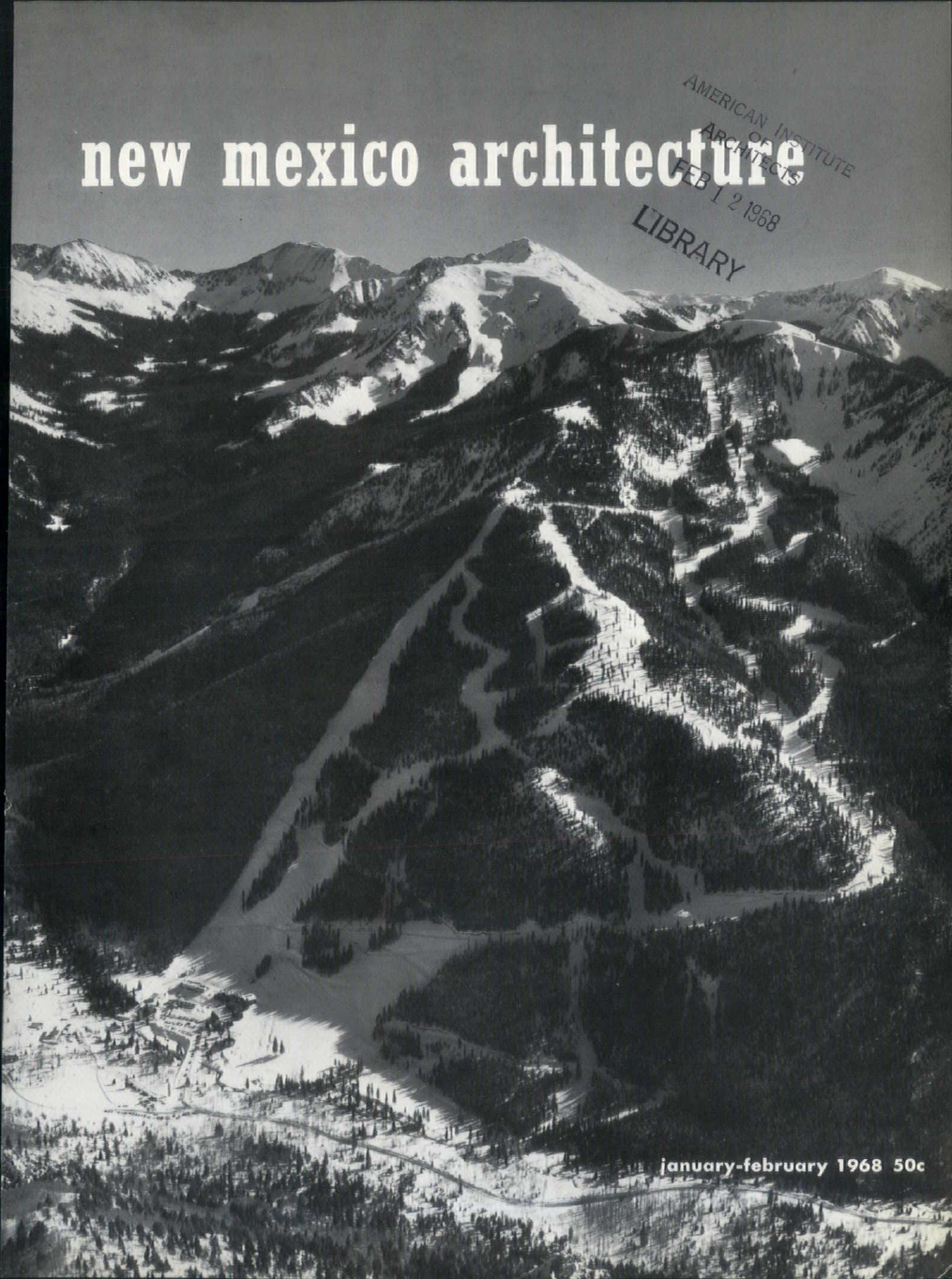

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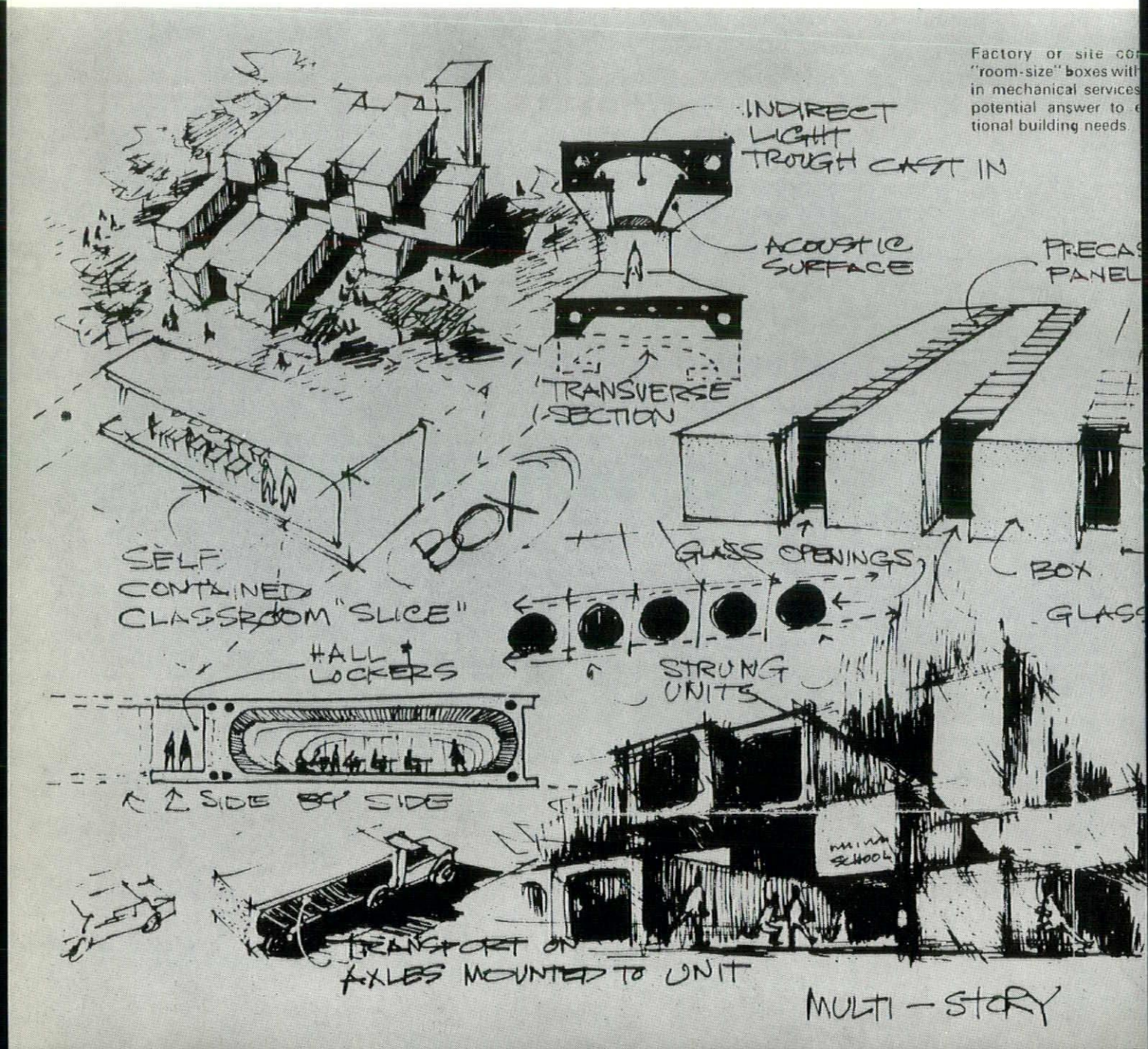

Factory or site co "room-size" boxes with in mechanical services potential answer to tional building needs.

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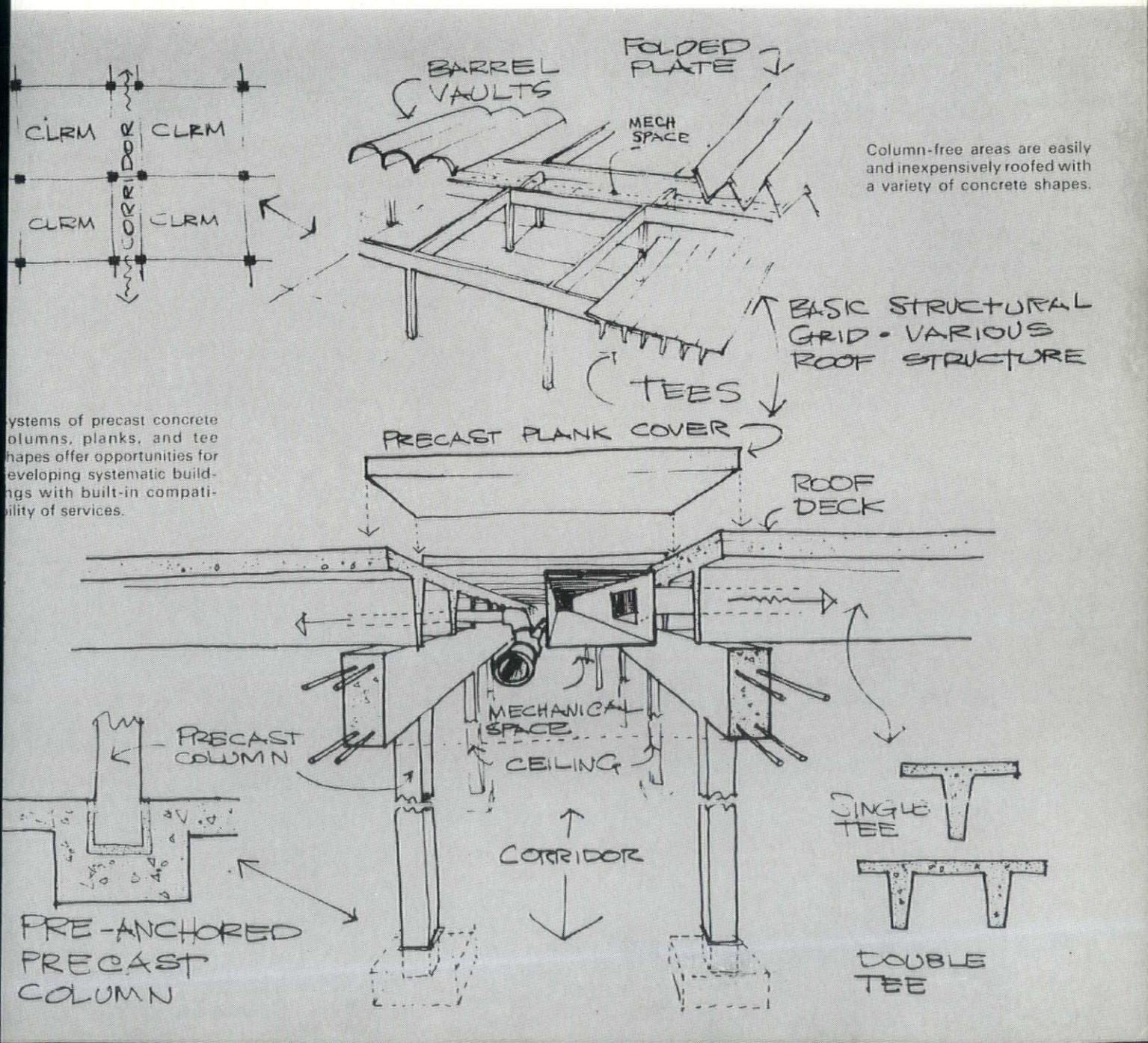

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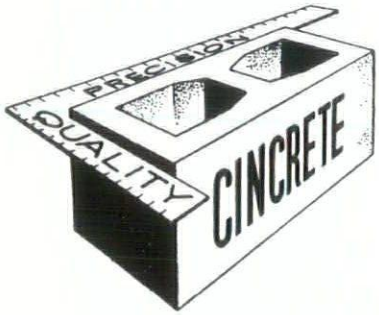

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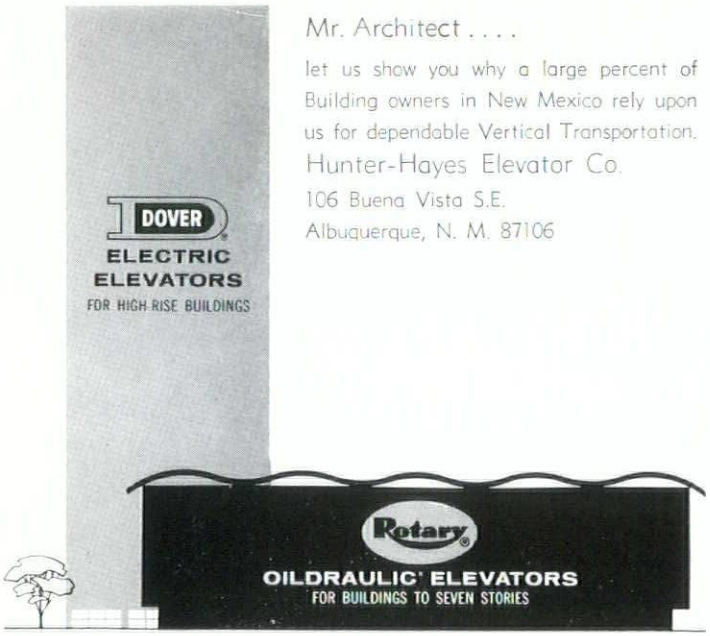

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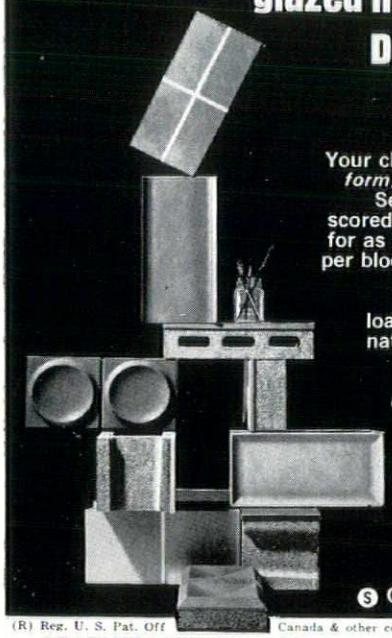

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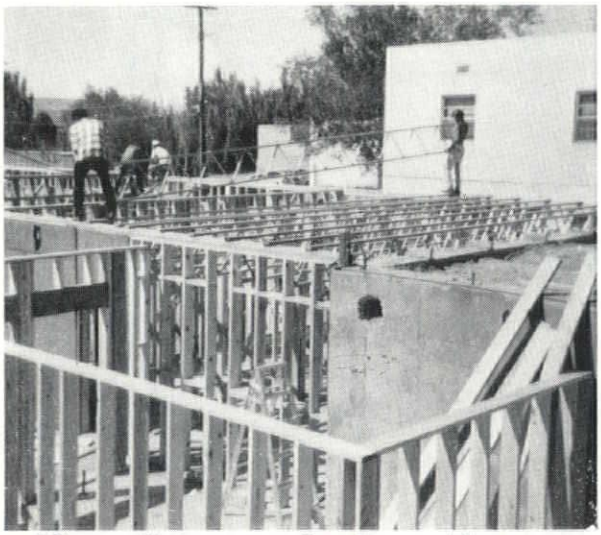

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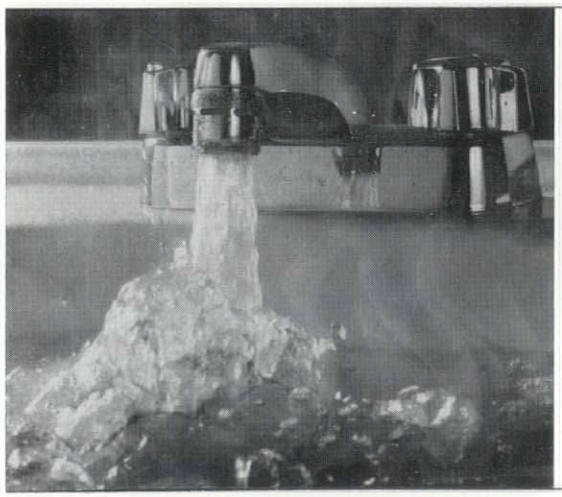

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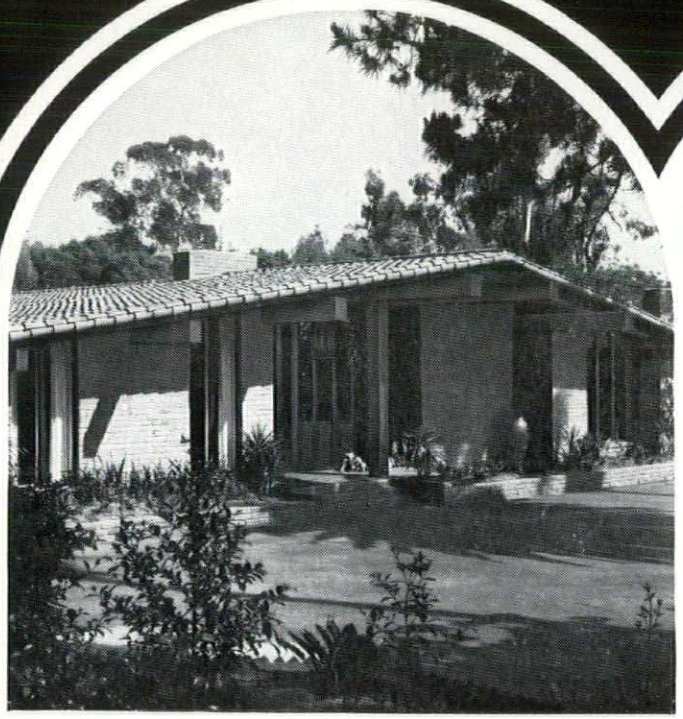

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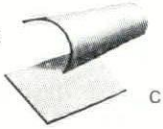

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New Mexico Society of Architects
C/O Mr. Kenneth S. Clark, F.A.I.A.
208 Delgado Street
Santa Fe, New Mexico

Gentlemen:

This letter is written in response to your request for a legal opinion with respect to whether a School Board or a Board of County Commissioners may legally contract to pay an architect for plans and specifications for constructing a building even though the bond issue out of which such building is to be constructed fails to pass. It is our understanding that School Boards as well as Boards of County Commissioners frequently take the position that no payment may be made for plans and specifications except out of the proceeds of the bond issue relating to the project with the result that the architectural fee must of necessity be contingent, rather than certain.

In our opinion, there is no legal foundation for such a position and School Boards and Boards of County Commissioners may enter into a valid contract to pay an architect for plans and specifications for projects without regard to whether the bond issue relating to the project is passed by the voters. We will separately consider the authority for such payment by School Boards and by Boards of County Commissioners.

Public schools may pay for architectural services which are considered preliminary in nature, that is, for surveys, feasibility studies, cost estimates and preliminary plans, under Budget Classification 120.3 in the General Control budget. For other architectural services, budget provisions may be made under classifications 1210.1, 1220.1, 1210.2, 1220.2 and 1230.

The basic authority for the foregoing is found in the Public School Finance Act, Sections 77-6-1 through 77-6-46, New Mexico Statutes Annotated, 1953 Compilation. In particular, Section 77-6-7 establishes the form of budgeting, 77-6-46 requires expenditures to be in conformity with the budget, and 77-6-5 gives the effect of law to accounting and budgeting procedures contained in the Manual of Procedure issued by the Public School Finance Division of the Department of Finance and Administration. The budget classification numbers listed above are designations set forth by the Manual of Procedure, which was initially issued in 1965 and supplemented in 1967.

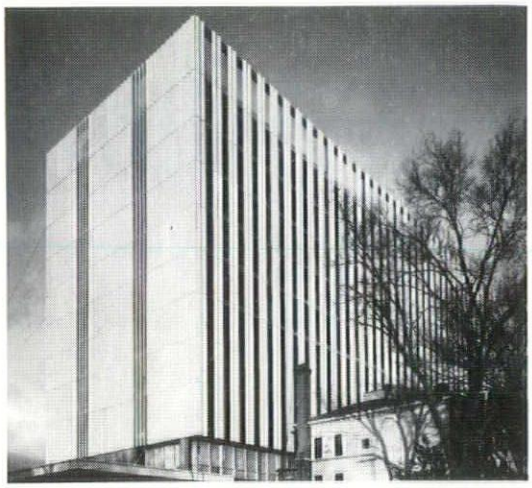
A Board of County Commissioners has general authority "To build . . . all county buildings . . . " under section 15-37-15 and " . . . the care of the county property and the management of the interest of the county in all cases where no other provision is made by law" under section 15-37-16. Its budget is, however, subject to approval by the Local Government Division of the State Department of Finance and Administration. See Section 11-2-57. This division advises that a line item in the general fund may be placed in the budget by a Board of County Commissioners. Such request in the budget could be made by a Board of County Commissioners in advance of the election on the bond issue and, if the issue passes, the architectural fees would be paid from the proceeds of the bond issue and the money in the line item in the general fund would simply not be used. Alternatively, after a bond issue fails, the Board of County Commissioners could request approval of an amendment to the budget from the Local Government Division of the State Department of Finance and Administration.

Both in the case of bond issues for school construction and for county projects, it seems elementary that the respective boards must have authority to incur preliminary expenses, including the employment of architects. The Legislature of the State of New Mexico must have foreseen that certain preliminary expenses are an absolute necessity in the case of an election on a bond issue. For example, legal advertising in advance of an election is specifically required, and the newspaper carrying the advertising demands and receives its fee in advance of the election. The services of an architect would seem to be equally essential to the presentation of a bond issue to the electorate. Accordingly, the authority to incur expenses preliminary to an election on a bond issue is inherent in the statutes providing for such elections.

In conclusion, we see no necessity for architectural fees to be made contingent upon the passage of a bond issue.

Sincerely yours,
Joseph A. Sommer, McKenna & Sommer, Attorneys

Contingent fee for construction of School and County buildings – A legal opinion



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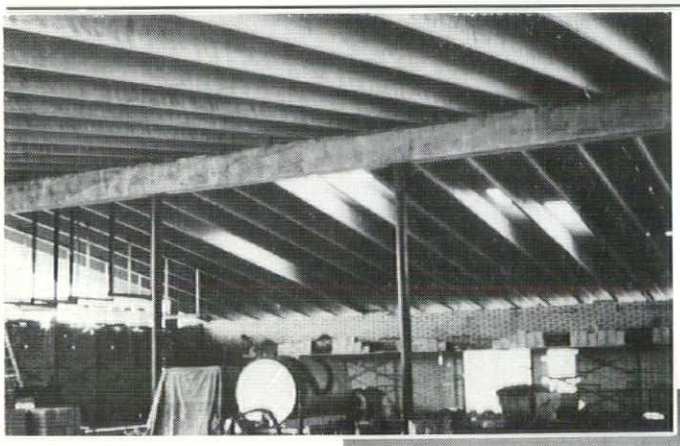

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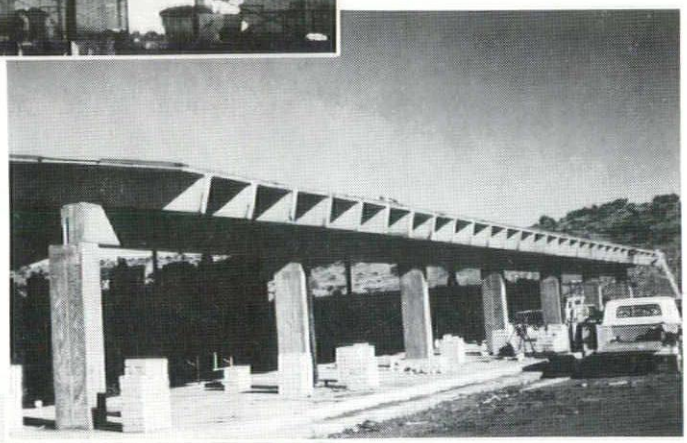

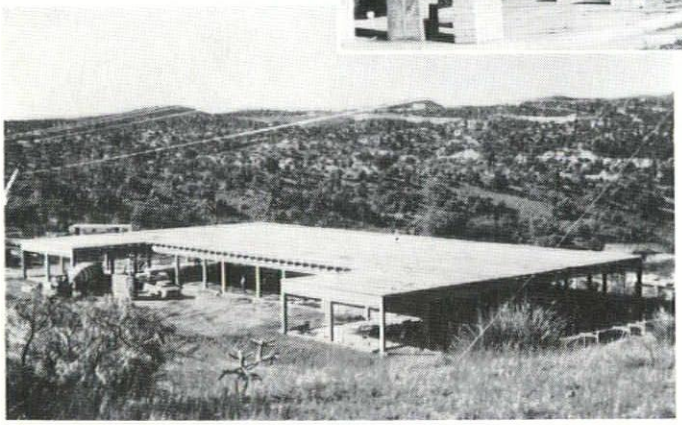

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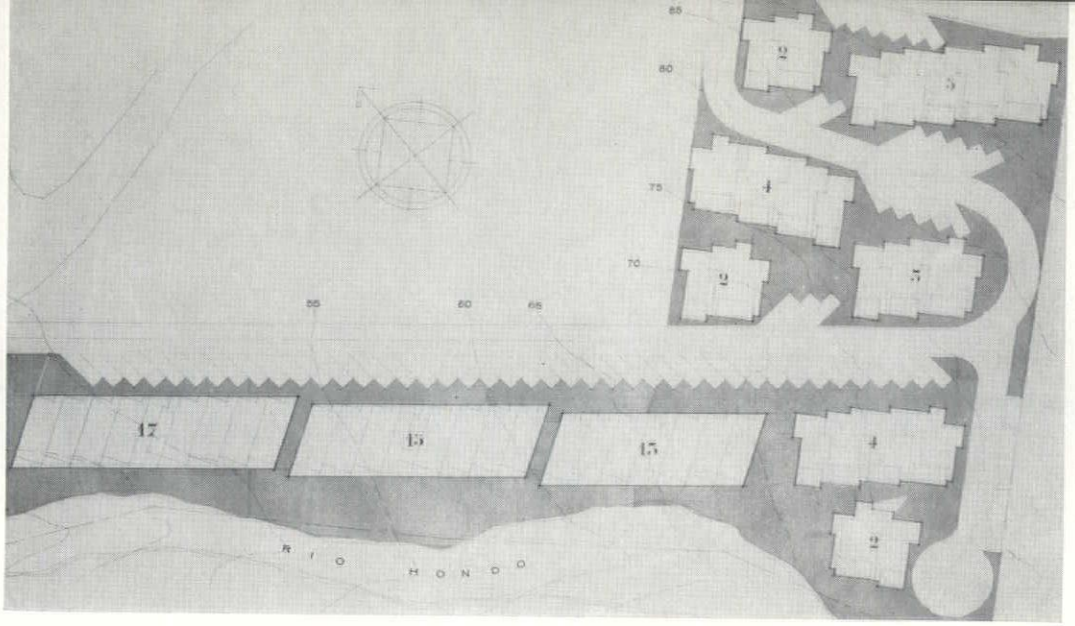


#2, 3, 4, 5—Chalets

#13 and 17—Condominium Apartments

THE SITE

The site is an irregular "L" shaped piece of land located at the base of the ski lift north of the culvert. The site slopes consistently from its lowest point at the west corner toward its highest point at the east corner and is bordered along the southwestern edge by the Rio Hondo.

Two separate models are planned: the condominium apartments, low in price, ranging in unit sizes from 600 to 800 square feet, extend in a south-easterly direction up the slope from the culvert along the river bank, The chalets, higher priced, fancier units of about 1200 square feet each, are designed to be built starting along the road on the northeast boundary and continuing down the slope toward the river.

The cover of this issue of *NMA* is a photograph of the site area. The actual site is in the lower left near the existing ski facilities.

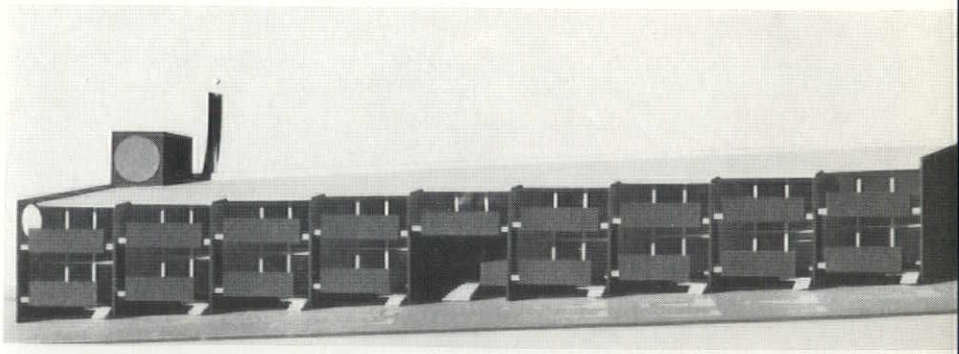
THE CONDOMINIUM APARTMENTS

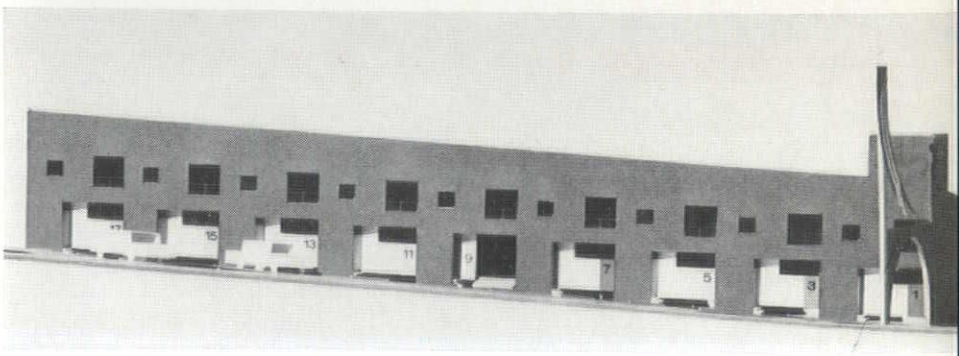
To simplify construction, all units of this model are contained in three separate buildings averaging fifteen units per building and giving a total of forty-five units. One unit is located on each floor (the building is two stories) and the second floor unit is reached from the street side of the building,

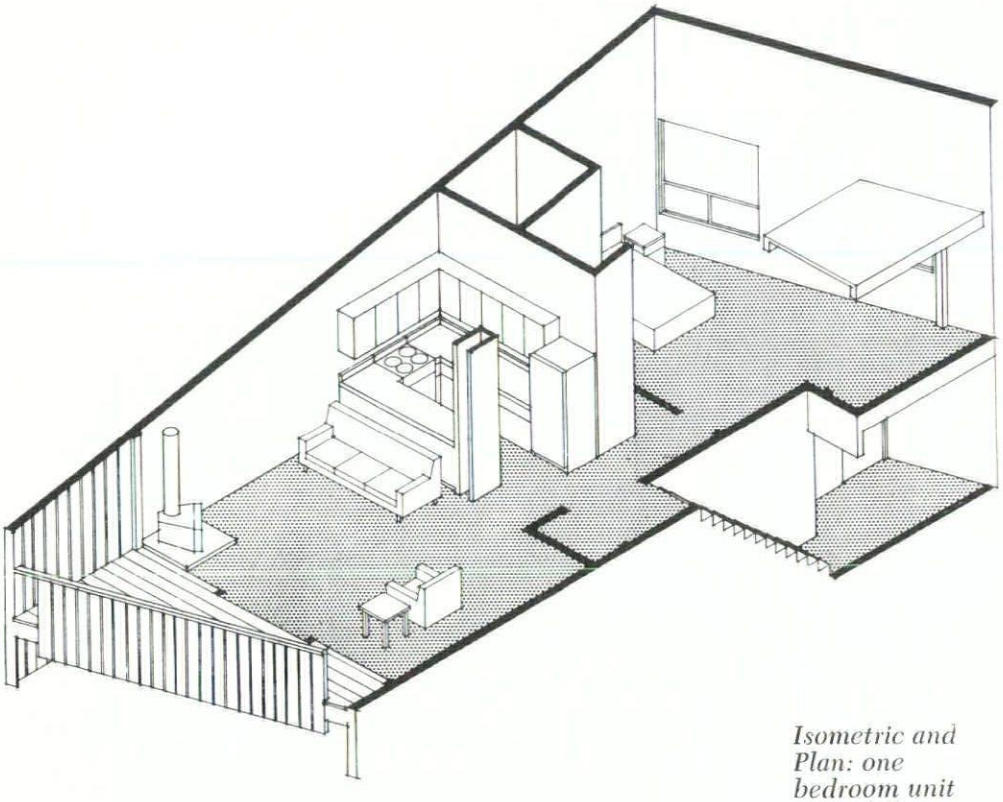
The Sierra del Sol Condominium Apartments and Chalets, Taos Ski Valley, Twining, New Mexico

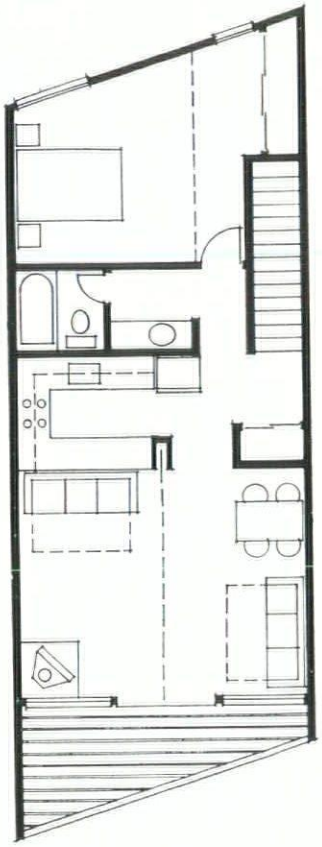
ARCHITECT: Thomas R. Vreeland, Jr., and Associates
STRUCTURAL ENGINEER: Howard S. Cottrell and Associates
DEVELOPER: Hertzmark-Parnegg Co.

the condominium apartments

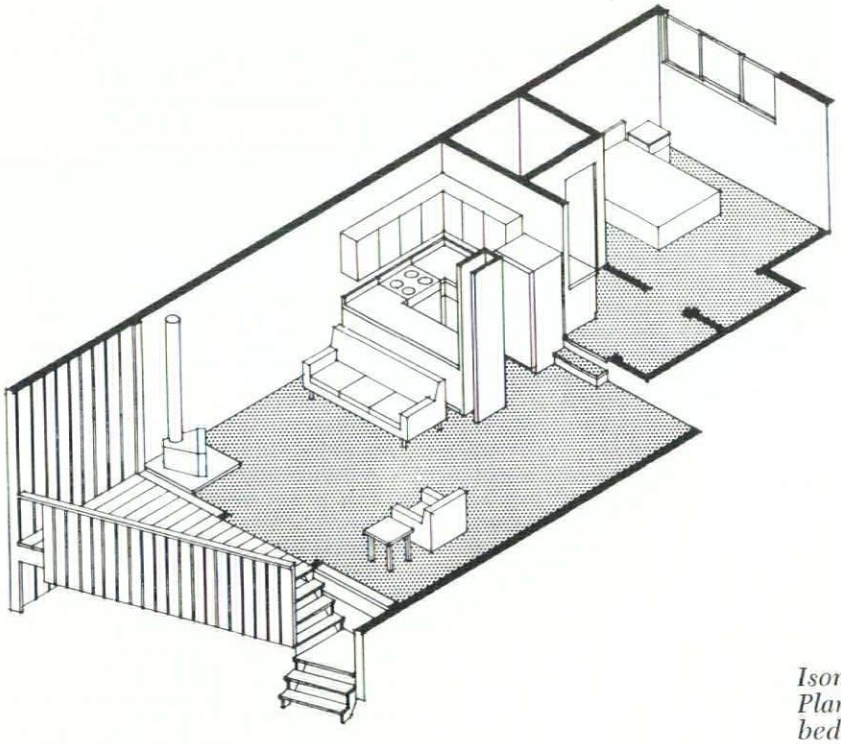


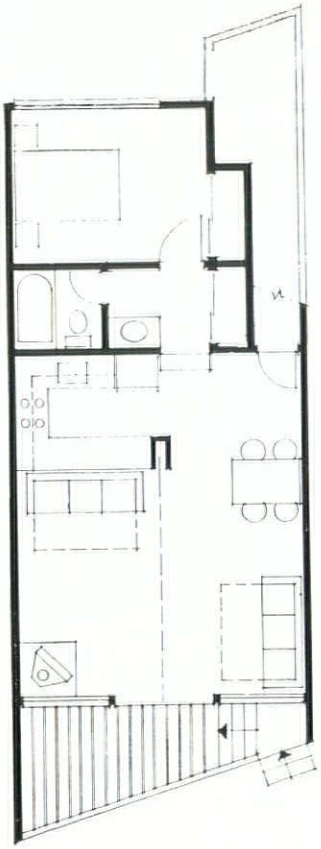






Isometric and Plan: one bedroom unit second floor





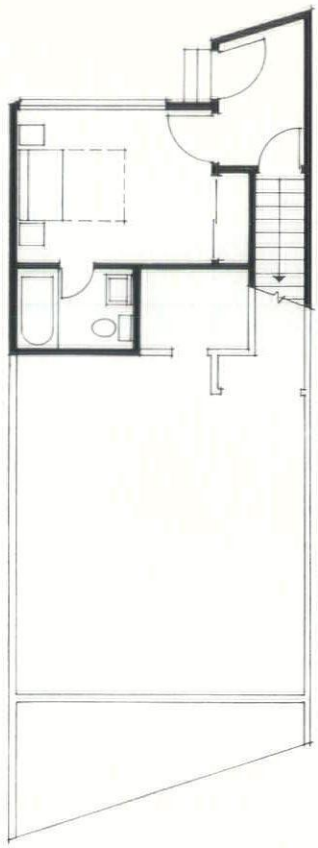
Isometric and Plan: one bedroom unit first floor

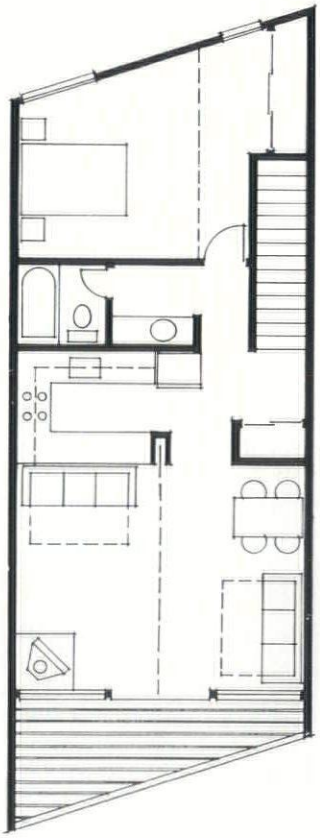
while the first floor unit has its entrance from the river. In order to make these lower units as accessible as possible from the parking strip, a tunnel is provided through the center of each building by omitting a first-floor unit. In this tunnel is located the sauna and the laundry-room which serve all the occupants of the building.

The bedrooms on both floors face the street, the living room and terraces face the river. Since the first-floor bedroom and its bath are accessible from the vestibule of the second floor unit, it has the possibility of serving as a second bedroom to the upstairs apartment (in which case the first-floor apartment becomes an efficiency) or as a separate rental unit. This provides considerable option in assigning apartment space within a pair of units: a bedroom-bath rental unit; an efficiency with no separate bedroom; a one-bedroom apartment unit; and a two-bedroom apartment unit.

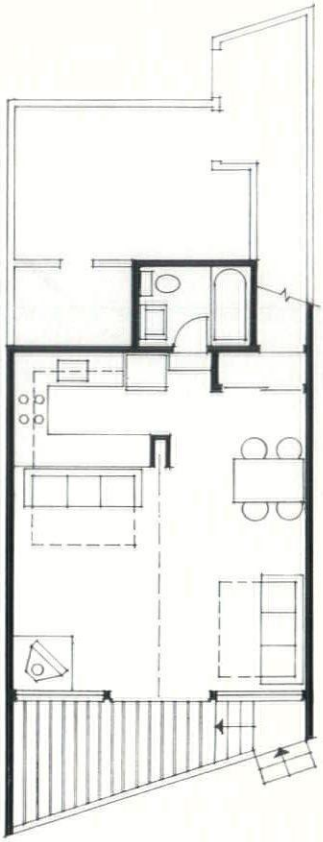
In order to negotiate the consistent upward slope on which the buildings sit the units have been arranged at an oblique angle to the front wall and each successive unit is placed one foot higher than the previous one, with the result that it is possible to cover all units with an unbroken roof surface which slopes from front to back of each unit but remains level across the width of each apartment. In addition, the angled relation of party walls to the front and back has created a slight indentation at each entrance, serving as a covered porch at the front and a trapezoidal balcony at the rear, oriented toward the ski slope.

Two separate coding systems are used to make identification easier. All public aspects of the building are sheathed in rough-sawn boards — i.e., the major facade, the ends, the tunnel and the balcony railings. All areas of individual private ownership are sheathed in smooth-faced composition board painted white — i.e., the indented entrance porch of each unit facing the street, the side walls of the balconies. The second coding system serves to distinguish one apartment unit at its





2 bedroom unit with one bedroom on the first floor



the efficiency

entrance from the other by the use of distinctive colors and numerals, a spectrum of warm oranges and reds on the north side, and of cool blues and violets on the south.

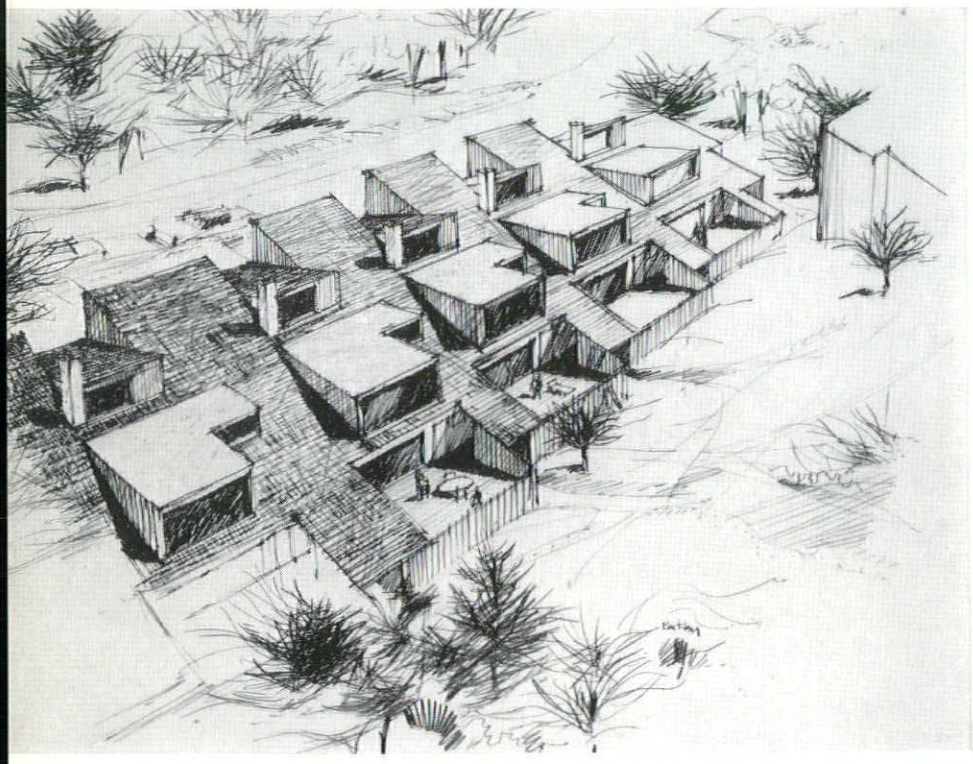
At the culvert end of the first building facing the main road, symbolic elements have been used directly to advertise its contents much as a book-cover might. They are: a turret, which sits on the north corner of the building and bears an orange emblem of the sun; an archway which proffers a gesture of welcome and marks the beginning of the "village street"; and a flagpole with a long blue banner with two ski tracks forming a stylized double "S" on it.

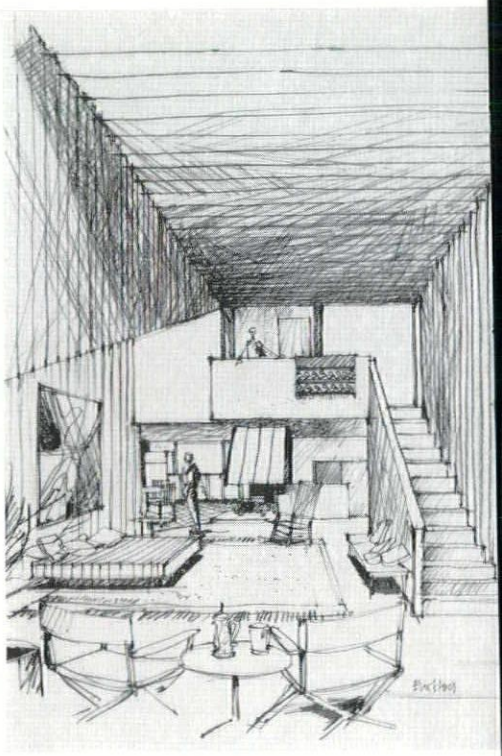
□ □ □ □

THE CHALETS

These units are almost twice the price and twice the size of the apartment units. Each one is a separate and self-sufficient chalet, complete with sauna and laundry, which can be entered from the

sketches of the chalets



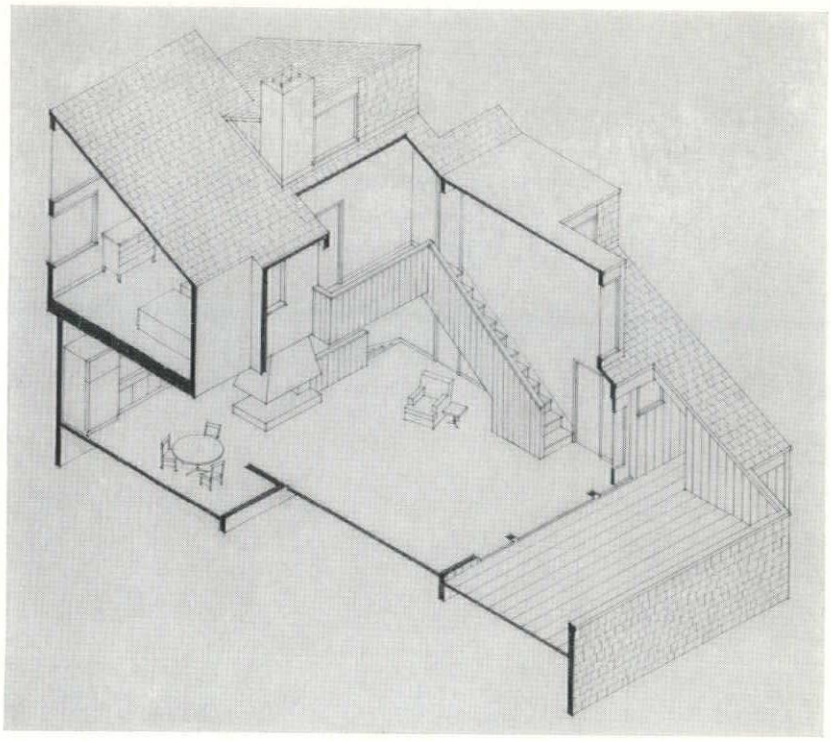


front or back. There are three sizes: a one-bedroom, a two-bedroom and a three bedroom variety. The basic section of each unit is wedge-shaped, two stories high at the front tapering to one story at the rear. The bedrooms are on the second floor over the entrance vestibule and kitchen, opening onto a gallery which overlooks the double-height living room. Above the living room an enormous dormer window gives a superb view of the mountain both from the gallery and from the living room below. There is a bathroom on each floor, with a sauna opening off the first-floor bathroom. A well-shielded living terrace opens off the living room; it is very large (some 300 square feet) and is oriented to the south with a splendid view of the ski slopes. Covered stairs lead directly from the terrace to the ground.

The entrance vestibule is at grade and approximately three feet below the living room. It is generous, its walls lined with benches and pegs, and serves as a catch-all mudroom to save the rest of the house from wet outer clothing and ski equipment. At the back of the living room where it joins the kitchen a two-sided fireplace provides warmth and glow to both rooms.

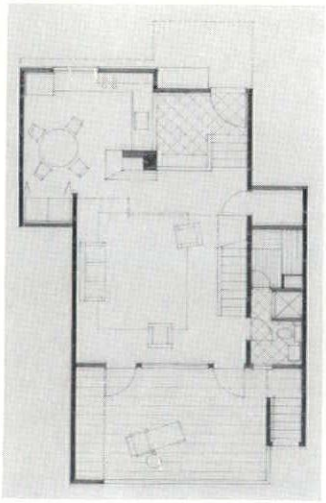
The unusual feature of these chalets is the way they nest together in clusters of three, four and five. They are adapted to the slope on which they sit so that each one is set four feet back and two feet higher than the one below it. This will give a clear sense of separateness and identity to each one while still allowing a degree of compactness in siting. In the final development about twenty chalets will be clustered on the upper half of the site.

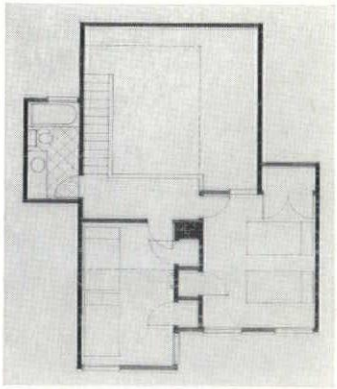
The construction of the chalets is wood throughout with cedar shingles on the roof and exterior walls. The interiors are smooth plaster walls with exposed board ceilings and side wall. Both the condominium apartments and the chalets provide sound insulation between adjacent units by means of resilient metal channels and acoustical blankets. —*T.R.V.*



isometric and . . . .

plans of 2 bedroom chalet





Bainbridge Bunting. *Houses of Boston's Back Bay.* The Belknap Press of Harvard University Press, Cambridge, 1967. $12.50.

The Back Bay area of Boston provides in microcosm, a fascinating picture of American architecture and city planning and its relationship to politics, to economics and to the social scene from 1840 through 1917. In his introductory chapter the author presents the development of the Back Bay area from that of a shallow marshy bay to a filled-in area which eventually became the most fashionable residential section of Boston. Prof. Bunting points out that "With a precision almost unique in American history, the buildings of the Back Bay chart the course of architectural development for more than half a century. Here one can follow, year by year, the changes in architectural style and building technology during the latter half of the nineteenth century. The record (of this architecture) is the more important when one considers the leading position that Boston occupied as the educational and publication center for architecture in America during the period when the district was being built. The fashions established in the Back Bay were reflected, sooner or later, in other cities of the country." (p. 2)

Further "The Back Bay district also constitutes an early and significant chapter in the development of city planning in the United States. With the Public Garden and Commonwealth Avenue, it represents one of the country's first concerted efforts to create a homogeneous urban environment." (p. 2). The concluding chapter of the book traces in detail the various stages of growth of the Back Bay area: the monumental development of Commonwealth Avenue as a great urban boulevard (probably as the author asserts, one of the most handsome in nineteenth century America, p. 397), the admirable provision of parks, and the creation of a . . . "cluster of educational and religious institutions in the neighborhood of Copley Square created a splendid cultural focus for Boston" (p. 398).

In the central part of his study Prof. Bunting traces the coming and going of the menagerie of architectural styles which so characterized the final half of the nineteenth century. Here occurred everything ranging from the numerous early variations on the Academic French modes (1857-1869) to the Ruskinian Gothic, Richardsonian Romanesque, the varieties of the Queen Anne, and then as a final note, the "Authentic Revivals" — the Federal, the Adams, the Georgian, etc. Not only are the styles fully discussed, but the author discusses the nature of the architectural profession as it developed in these early years — an extremely important subject when one remembers the importance of such nearby institutions as M. I. T. and Harvard in the emergence of architecture as a profession in this country.

The author also delves into the many and numerous factors which conditioned the design and site

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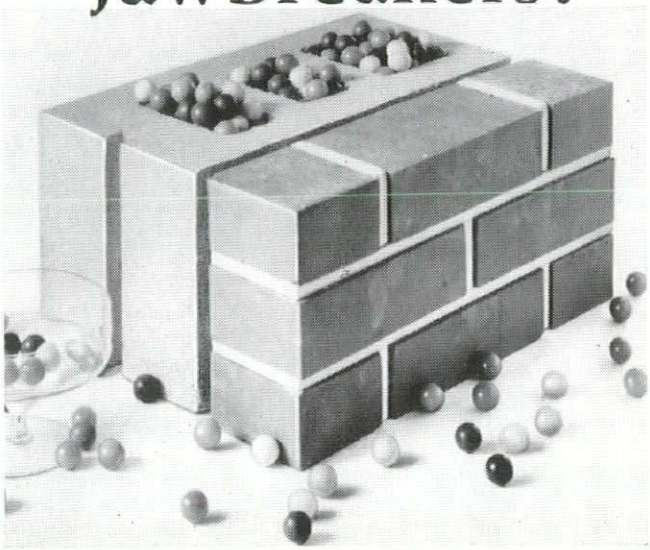

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layout for the typical Back Bay town houses: fire laws and property restrictions, methods of construction and the changes in mechanical equipment.

Professor Bunting has in reality produced two books in one — a highly readable discussion of architecture in a specific 19th century American locale; and a *catalogue resumé* of the buildings, street patterns, parks, etc. which by 1917 eventually occupied the Back Bay area. The text has been augmented by numerious photographs, many of which are extremely handsome; floor plans, and reproductions of original architectural plans and drawings of the street layout. By bringing all of this material together the author has created an interdisciplinary study which should be a model for future studies of other urban areas. It is a book from which the architect and all others interested and involved with architecture and planning will immensely profit.

—*David Gebhard*, Art Gallery,
Univ. Calif., Santa Barbara.

HOW ABOUT SOME URBANE URBANISM

A look at the De Vargas Urban Renewal Project, Santa Fe, N. M.

by: John T. Midyette, III

Civilization is a progress from an indefinite, incoherent, homogeneity toward a definite, coherant heterogeneity.

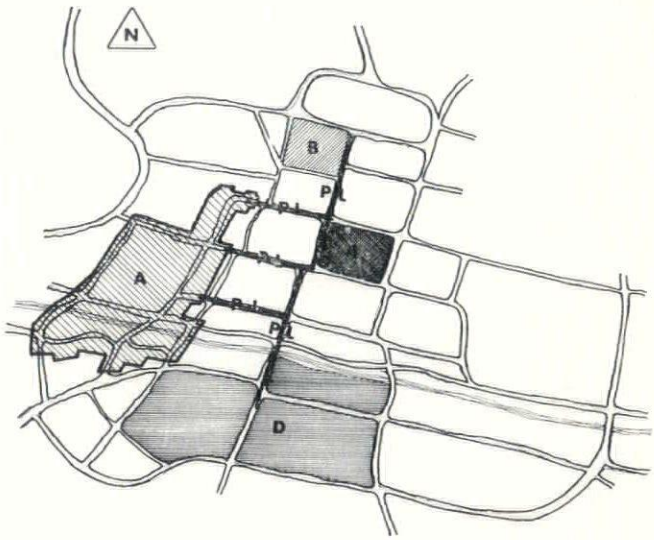
Man today, having cast off the framework of traditional authority which confined and sustained him before, can act with a latitude both frightening and exhilarating. In a world where values may be questioned, man searches constantly for his own identity, and for the meaning of human existence, individual and collective.[1]

The immediate effort needed is an intellectual and imaginative one — to understand this new revelation made to us by the growth of knowledge. Humanism is seminal. We must learn what it means, then disseminate Humanistic ideas, and finally inject them whenever possible into practical affairs as a guiding framework for policy and action.[2]

Urban Renewal Programs are wide-spread in this country, and most of the money comes from the Federal Government. Along with its "gifts", the Federal Government sets up "standards" that must be applied to the project, irrespective of its geographical location. One of the Federal requirements is that the Urban Renewal Agency adhere to the community's zoning ordinances, whether or not they are the correct land uses for the affected area. This brings us to Santa Fe, and the De Vargas Urban Renewal Project.

The Santa Fe River runs east to west through the approximate middle of the 24.2 acre project area. The river effectively divides a primarily low income residential area on its south side from the commercial but blighted edges of the central business district to the north. The existing commercial areas on the north side and the river are within easy pedestrian access to the Santa Fe Plaza. The need for the elimination of some structures and for the comprehensive redevelopment of this area into a sound commercial district is real, and urgent.

The area to the south of the river is residential with only the slightest intrusion of commercial enterprises. The streets are narrow. The one story apartment compounds range from good to frightful. The individual homes are sometimes well kept and trim; all are small and tightly packed on small lots. The area is within easy walking distance of the State Capitol complex.



map 1

A·· de vargas urban renewal area
B·· mid-high site
C·· plaza
D·· capitol complex
PL··pedestrian link

The present renewal plans have had to be based upon the existing Santa Fe zoning ordinances. According to the urban renewal planners, these ordinances have laid down such restrictive area limitations upon residential zones that it would be impossible to permit any residential development in the proposed renewal area. Thus the entire 24.2 acres are designated for commercial use. In the city of Santa Fe this seems vastly excessive to its needs. If fully developed according to the present plans, the commercialization of this area might well lead to the eventual blighting of the older, existing central business district about the plaza. The present size and potential population ex-

pansion of Santa Fe does not justify such a land use pattern.

It would make more planning sense for the existing residential district to continue to serve the city as a close-in living area. Revitalization of some of the present compound structures and an increased residential density by the development of new apartment complexes would increase the income of the present land owners and future developer. But more importantly, it would add new housing for employees in the nearby State Capitol complex and pedestrian customers to the central business district across the river.

This area might be zoned to R. A. C.—Residential Arts and Crafts — which "is intended to serve and preserve the prevalent characteristics of some limited areas in the city. Within these general areas, residential uses are inter-mixed with small arts and craft shops . . . "[3]. Such a revitalized residential area along the south side of a new Santa Fe River Park would provide a sound basis for the re-development of the blighted commercial lands which lie within the renewal area across the river to the north.

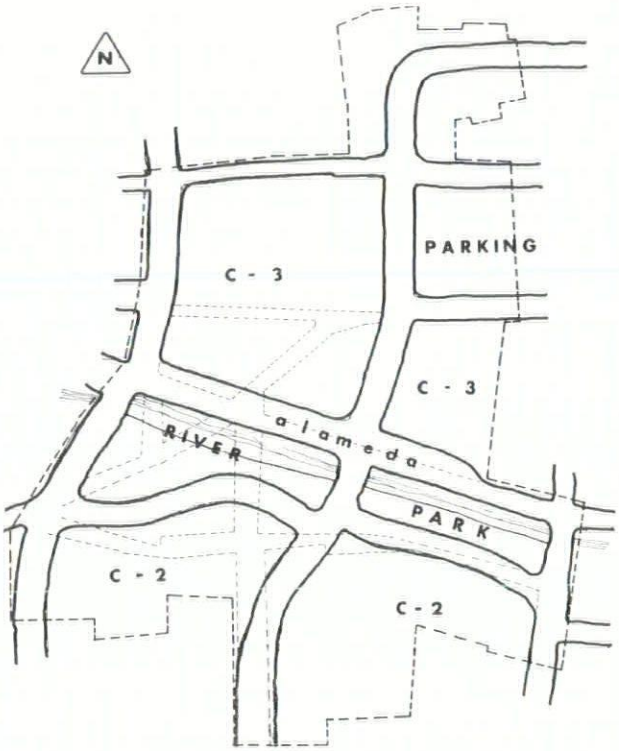
It might be possible to allow a "finger" of residential development to cross the river at some point between Don Gaspar Street and the proposed Sandoval Street extension. A pedestrian bridge could link the residential finger back across the river to the neighborhood on the south bank.

As stated before, the urban renewal designers agree that this area should not be stripped of its residential potential. But they point out that the city's present zoning does not allow for residential development in this area. Zoning ordinances have been changed, are being changed, and must be changed before we can design into our cities a variety of experiences, visual and social. The primary need is not to just build shelter, whether for living or selling, but to build an *environment* in which a civilization can grow.

The Santa Fe River Park as designed for the Urban Renewal Agency is dull, lifeless, and will be nothing more than a dead green strip. It serves none of the needs of the project area — except that it provides for the unlikely eventuality of a major Santa Fe river flood.

An alternate park design has been submitted by a Santa Fe architectural firm. This substitute proposal is a step in the right direction. It contains noisy areas for children at play, quite sculpture courts for restful conversation, and an amphitheater for community theater or political rallies. A shallow pool is provided in which children can splash in the summer and on which they can ice-skate in the winter. This proposal is designed to serve urban needs in an urban environment. (sketch p. 19)

Let us say that the area south of West Alameda Street is rezoned R. A. C. This would leave some 421,-418.72 square feet of ground area to the north of the river and still within the Urban Renewal area to be developed as commercial land uses. Most of this area is a poorly developed and blighted commercial zone

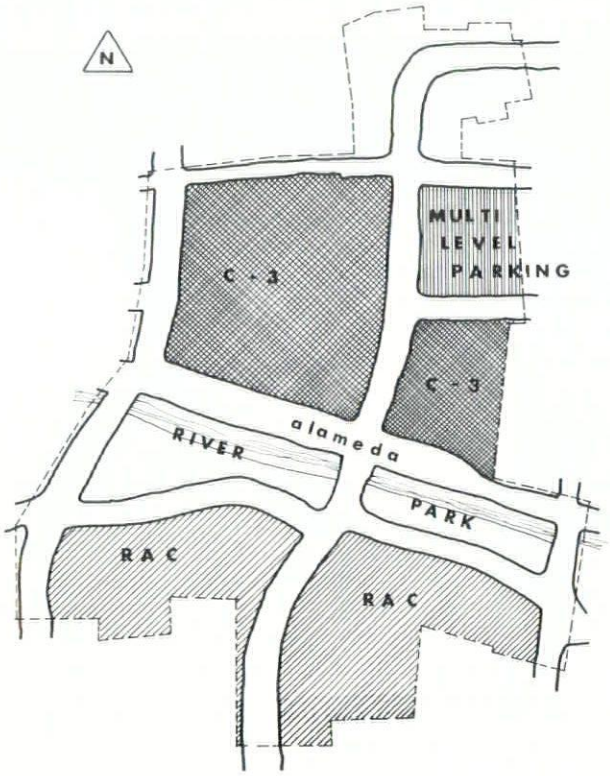


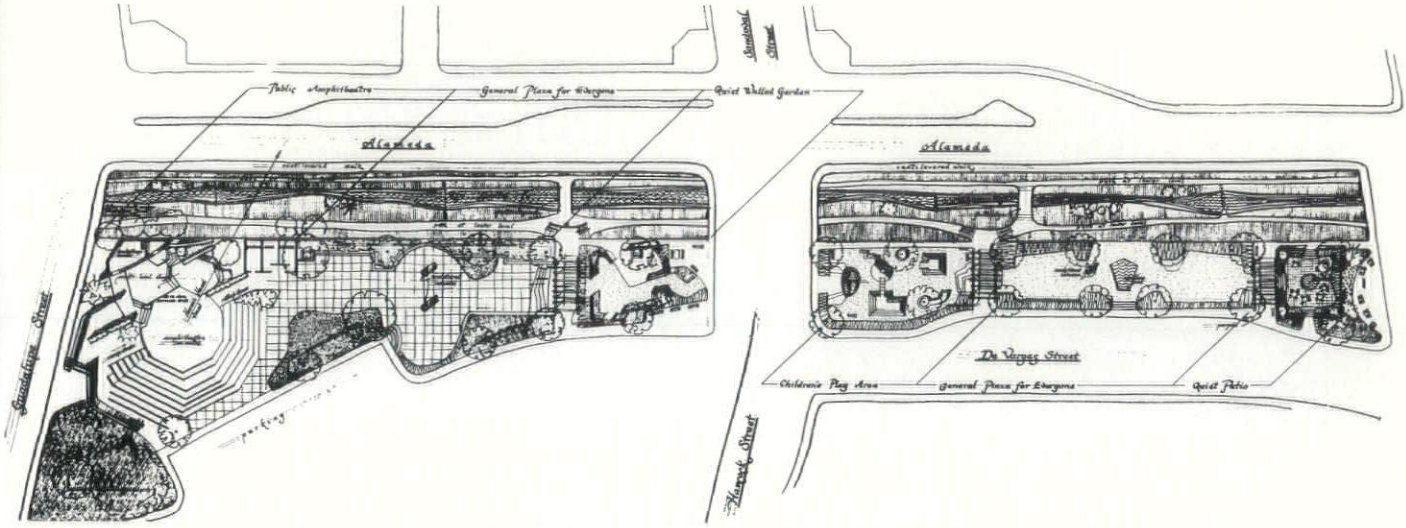
map 2

URA PROPOSED LAND USE

SUGGESTED LAND USE

map 3





an urban park in an urban environment

but it is contiguous with the central business district. Because of a slow population growth and the development of outlying shopping centers, the need for revitalizing this area had not been felt. But Santa Fe has grown and is continuing to do so. The need has now become apparent and Urban Renewal is the ready tool. With proper development this large area of land is ample to serve the needs of Santa Fe's central business district for years to come.

In the De Vargas Urban Renewal Plan there is no hint of a pedestrian link between the existing Plaza and the proposed 24.2 acres of commercialism! Is it the intention of this De Vargas Urban Renewal Plan to strangle the commercial aspects of our Santa Fe Plaza? In past Urban Renewal projects throughout this country it has been difficult to force people out of their automobiles and have them walk from area to area. In the plan, as presented, no one will walk from area to area — and how may cars came into your store yesterday to buy something? There must be a re-orientation in this plan toward pedestrian circulation. A ground level parking lot is included in the plan. (Map 2.), and it does lie between the URA and the existing central business district. But unless a multi-level parking garage is built, the parking demands of the area cannot be met.

Lying outside the Urban Renewal Area, but of importance to the developing plans for the URA, is the mid-high school property. (B-map 1). Although still a functioning school, the Santa Fe School Board wishes to sell the property and to replace the school facilities on a new, less congested site. The property is ideal for development of a convention and cultural complex. This site lies within pedestrian walking distance from the downtown hotels; it can be easily reached for commercial truck servicing and private automobiles from the inner loop and the Taos highway. The ancient plaza with its historical museums and shops is only one block south.

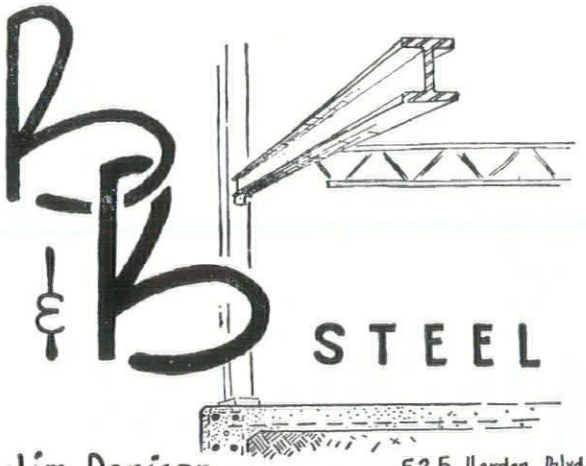
Strong visual pedestrian walkways could be developed along the existing sidewalks which would link the convention center and Federal Oval on the north through the Plaza to the Capitol Complex on the south. These links also extend into the URA (See PL-map 1). While the automobile would not be eliminated in an expended and in some places portaled sidewalk plan, it is the pedestrian who is the actual user of the cultural facilities and the buyer from the shops.

The city of Santa Fe has tremendous charm and potentiality, but if we allow the traffic engineers to bulldoze their way through this city with sixty-five foot wide streets, traffic lights, stop signs, aluminum light standards, etc., the existing charm is destroyed and all hope for imaginative development of the city of Santa Fe is lost as it approaches "Any Town, U. S. A.". Surely there are other ways of controlling traffic than those proposed — texture the street paving, change paving color and/or material to indicate speed and directional changes, etc. These are only a few ways in which the automobile can and should be handled in predominately pedestrian areas. The central business district must be essentially for pedestrians. With today's technological developments, the designer is limited only by himself, but in most cases he is his own greatest liability.

The citizens of Santa Fe must look at the total impact that this 24.2 acre project will make on this small town. The De Vargas Renewal Project is no longer a question mark; it is now reality! The project as planned needs to be very seriously scrutinized. Changes must be made. These changes are within the citizen's grasp. If the future of the city of Santa Fe is not to be mundane and trite, then the citizens must step forward and demand an environment in which civilization can grow. Santa Fe's long and unique heritage can be extended into a growing, vital future without suppression by unimaginative planning and without the false fronts of a "Williamsburg Museum" concept.

—J. T. M. III

1. *Janson, H. HISTORY OF ART. Englewood Cliffs, New Jersey; Prentice Hall, 1963 pg. 453*
2. *Huxley, Julian. THE HUMANIST FRAME. New York, New York; Harper and Brothers, 1961 pg. 98*
3. *Zoning Ordinance, City of Santa Fe, Dec. 1967*



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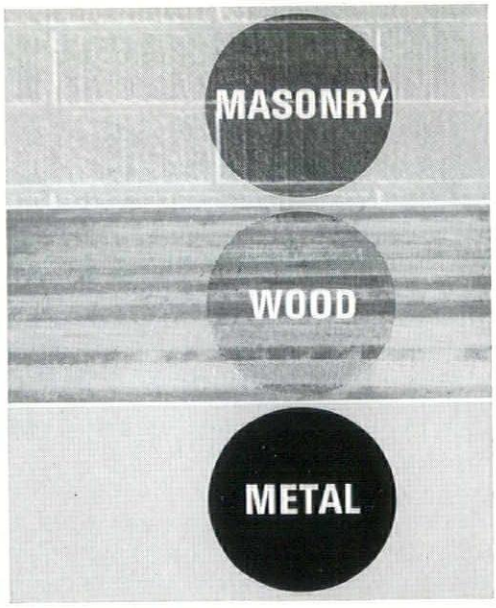

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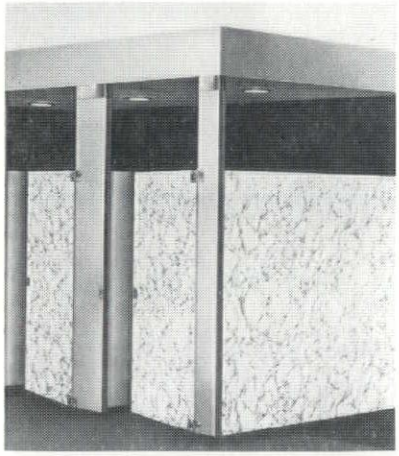

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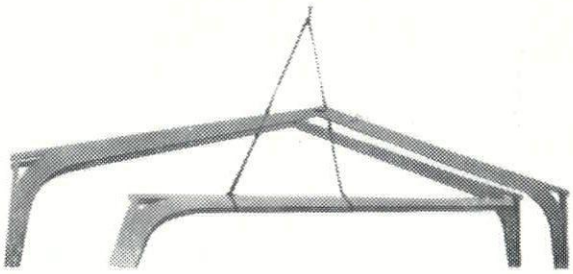

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A LEGAL AND ARCHITECTURAL MILESTONE IN MADISON, WISCONSIN

Frank Lloyd Wright had his day in court on September 12, 1967. The result would have pleased him.

On that day, Wisconsin Circuit Judge Edwin Wilkie handed down a ruling that not only paved the way for the construction of Wright's famous, long-delayed Monona Terrace Project in Madison but set a precedent that could have far-reaching effects on municipal architecture throughout the country.

Barring appeal, the ruling disposes of a taxpayer's suit which had challenged the right of the city to select an architect solely on the basis of reputation and ability to perform, and to pay a higher than customary fee. The suit was the latest in a long series of obstructions that have plagued the civic center project since Wright proposed its first design in 1954.

That design immediately met with entrenched political opposition, partly because it placed a portion of the complex on a platform over Lake Conona, rather than on privately held real estate. But the citizens of Madison liked it: more than 7,000 of them signed a petition to put the issue on the ballot and, by a 2-1 vote in 1956, approved a $5½ million bond issue to get it built—specifically on the proposed site "according to the plan of Frank Lloyd Wright."

Since then, the project has been an on-again-off-again affair, depending on who was running the city government at the time. But it appeared to have jumped its final hurdle last November when, thanks to a new pro-Wright mayor, Otto Festge, the city signed a planning-design contract with the Frank Lloyd Wright Foundation, the firm established after Wright's death in 1959 to carry on his works.

Then Madison Attorney Carroll Matzner brought suit, claiming the city had acted "capriciously" in selection of the Foundation as architects. Judge Wilkie disagreed. "In the selection of professional people to render professional services," his opinion stated, "it is reasonable for city officials to seek out the person whose talent the city wishes to engage. Architecture is an art and a science. It was thus reasonable and proper for the city officials . . . to settle upon an architect whose talents and abilities they felt best adapted to the project at hand. It was not requisite that they seek 'bids' . . . indeed it would be to the disadvantage of the state or municipal corporation to regard the cost of architectural services as the primary factor in the selection of an architect."

The major significance of the decision, in the view of William Wesley Peters, chief architect of the foundation, is its recognition of the validity of "comprehensive architectural services." Peters points out that the contract gives the foundation responsibility for the entire project, including the site planning, landscaping, and the disposition of all the buildings and facilities. The fee, which is worked out on a complicated sliding-scale basis that averages out at about 9.8 percent, is "no larger than that recommended by the AIA" for such services, Peters claims.

The ruling, Peters said last month, is "a milestone in the architectural field."

Architectural Forum/November 1967

SORRY —

that this issue of *NMA* will be a little late getting into your hands. The holiday season — its usual short work weeks and busy schedules — is one reason. A slight heart attack suffered by one of the editors is another reason.

But the editors of *NMA* and the publications commission of the New Mexico Society of Architects want to wish the advertisers and the readers a:

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